

JAN 27 2023

DANE COUNTY CIRCUIT COURT

23CF230131

COMPLAINANT FOR SEARCH WARRANT

STATE OF WISCONSIN)
) ss. In the Circuit Court of the
COUNTY OF DANE) County of Dane.

Detective Jordan Trundle, being duly sworn, on oath complains to the Court of the County of Dane, that on January, 26 2023, that there are now located and concealed in and upon certain premises and persons unknown, in the City of Fitchburg, Dane County, Wisconsin, and more particularly described as follows:

- 2401 Post Road Apt. 207, City of Fitchburg, Wisconsin, Dane County, is a two-story apartment complex. The exterior of the building is predominantly tan with tan siding on the second story and light color bricks on the first story. The building sits on the intersection of Post Rd and Traceway Dr. The numbers "2401" are written on a white plaque with black lettering above the main entrance which faces the Northwest. This entrance leads to a lobby area with a stair case in the center leading to the 2nd story and the basement.



Building Photo taken from Post Rd facing South. Photo Taken 1/5/23



Entrance Photo taken 1/5/23

- At the top of the stairs there is a hallway that runs North/South. Apartment 207 is the south western most apartment on the second floor, and is the last apartment on the right hand side, if taking the main hallway to the south (right) from the main entrance staircase.



Red circle denotes apartment 207 from the outside of the building

- Apartment 207 has a brown wooden door with tan trim. A wooden placard is in the center of the door at approximately eye level with the number "207" written in white.



Photo of the door of apartment 207, taken on 1/5/23

Certain things, to-wit:

Any and all Firearms, ammunition, firearm accessories, magazines and any other firearm related equipment. These items are commonly secured in safes, which can be of varying sizes. Force may be used to gain entry to safes if they are large enough to conceal or secure a firearm, ammunition or firearm accessories. This force may irreparably damage the safe(s).

Receipts for firearm and ammunition purchases, including internet sales.

Cocaine, Heroin, and Marijuana and paraphernalia associated with the storage and distribution of controlled substances, including drug limited to, scales, drug packaging materials, and buyers and sellers lists.

Documents tending to identify the occupant in control of said premises, including utility bills, rent receipts, personal correspondence, photographs, keys, and telephone bills. In addition, additional items tending to evidence drug trafficking, including U.S. currency and/or other containers associated with the sale and distribution of controlled substances.

The seizure of any cellular phone or communication device, and electronic equipment and any memory or data contained therein belonging to Samuel Crump and Calvin Henderson Sr.

Any evidentiary photography, processing, examination and analysis.

DNA in the form of Buccal swab samples of Samuel Crump, a Black male with a date of birth of 04/13/1993.

DNA in the form of Buccal swab samples of Calvin M. Henderson Sr, a Black male with a date of birth of 11/10/1977.

Certain things, which may constitute evidence of a crime, to-wit:

Manufacture/ Delivery of Cocaine, committed in violation of Section(s) 961.41(1)(cm)(1r), Felon in possession of a firearm in violation of Section 941.29 of the Wisconsin Statutes and ask that a Search Warrant be issued to search the premises and person unknown within the property listed.

EXPERTISE AND EXPERIENCE

Your complainant has been a police officer since 2007, has been employed by the Fitchburg Police Department since June 2007, your complainant was promoted to the rank of Detective in 2019. Your complainant has investigated drug overdose deaths, homicides, and weapons violations. Your complainant is also a member of the Fitchburg Police Department Special Response Team (SRT).

Your complainant graduated from the University of Wisconsin Oshkosh with a Criminal Justice Degree in May 2006. Your complainant successfully completed the Basic Recruit Academy at the Fox Valley Technical College in December of 2006. As part of the academy's curriculum, your complainant successfully completed a Basic Drug Recognition and Drug Paraphernalia course.

Your complainant also attended the Street Crime Seminar in March of 2009 that discussed current street crimes and drug trends. In February of 2010, your complainant received training on the Nark II Field Testing Kit and as part of that training; your complainant received additional training in drug and drug paraphernalia recognition.

From January 9, 2012, until May 11, 2012, your complainant worked with the Dane County Narcotics Unit. This experience included, but was not limited to, drug identification, habits and practices of buyers and sellers, drug trafficking trends, drug interdiction, undercover and informant operations/management, surveillance, conspiracy, money laundering, asset forfeiture, diversion investigations and drug laws, evidence handling, drug field testing, crime lab investigations, drugs that impair driving, criminal street gangs and organized crime, and interview and interrogation.

Your complainant has made numerous drug arrests since becoming a police officer and interviewed hundreds of drug users and sellers about their practices, habits, and business. This includes distribution and packaging methods, concealment methods, street slang terms, police evasion tactics, and identification of associated drug paraphernalia.

Over your complainant's career, your complainant has been involved in hundreds of drug-related investigations and arrests, drafted and assisted on search warrants written for narcotic-related charges, and executed them.

These drug investigations included, but were not limited, to possession and delivery of controlled substance cases and the investigation of drug related death investigations primarily from drug overdoses in the Dane County area.

In October of 2021, your complainant attended a two-week Death Investigation School put on by the Wisconsin Department of Justice Division of Criminal Investigation. In November of 2021, your complainant attended a week long ICAC (Internet Crimes Against Children) course put on by the Wisconsin Department of Justice Division of Criminal Investigation.

CRIMINAL INVESTIGATION

Initial Call for Service

Your complainant was assigned a weapons violation that occurred on December 4, 2022. During the course of the investigation, your complainant had contact with a Citizen Witness. Your complainant will refer to Citizen Witness as CW 1 for the remainder of this warrant application. Your complainant has worked with CW 1 on this investigation and previous investigations related to this and has found the information provided by CW 1 to be accurate and useful during these other investigations. CW 1 also testified in a federal grand jury and assisted in the federal indictment of a subject for felon in possession of a firearm.

Your complainant interviewed CW 1 on January 4, 2023. CW 1 explained to your complainant "Sam" who lives at 2401 Post Road and Derrick Johnson were in a disagreement, which caused the disturbance on December 4, 2022 in the intersection of Post Road and Traceway Drive. CW 1 was not sure who exactly shot the firearms but knew "Sam" was involved.

CW 1 further explained to your complainant "Sam" lived with "Calvin" at 2401 Post Road #207. CW 1 explained she knew law enforcement were at 2401 Post Road #207 for a heroin overdose that occurred the week prior to Christmas in 2022.

Your complainant reviewed reports by Officer Spangler, of the Fitchburg Police Department who responded to a call for service at 2401 Post Rd #207 on December 22, 2022. Officer Spangler reported he was dispatched to an overdose at this address, and the caller was unsure if the patient was conscious or breathing. Officer Spangler indicated that EMS staff was on scene on his arrival and advised that the patient who was later identified as Kareem Washington had a pulse. Officer Spangler, and Officer

Hammermeister, of the Fitchburg Police Department, spoke with Samuel D. Crump (4/13/93) and Calvin M. Henderson Sr. (11/10/77) who were present during the overdose. Samuel was adamant that Kareem had only used marijuana. Samuel and Calvin noticed that Kareem was acting odd, so they took him to the shower and put cold water and ice on Kareem. Despite their efforts Kareem became unconscious. Calvin indicated that he had administered one dose of NARCAN to Kareem during this time.

Your complainant knows from my training and experience that NARCAN is commonly used to reverse the effects of opiates. Kareem was ultimately transported by EMS. Officer Spangler conducted a data check and determined Calvin had a warrant from Jefferson County. Due to the type of warrant, Calvin was transported to the Fitchburg Police Department and the warrant was taken care of.

Your complainant had contact with Detective Jennifer Niebuhr who is currently assigned to the Dane County Narcotics Task Force. Jennifer Niebuhr reports she met with a confidential source regarding illicit narcotics being dealt by Calvin Henderson and "Sam". Detective Niebuhr's confidential source explained to Detective Niebuhr that Calvin Henderson lives in an apartment in the Leopold Way / Post Road area. This confidential source further reports the apartment is the top apartment of the building facing the street. The confidential source explained firearms are in the apartment including a 9mm handgun and a .380 handgun.

Surveillance and follow up at 2401 Post Rd

Shortly after this incident information was provided the Fitchburg Police Department from several concerned citizens who indicated that Sam Crump and Calvin Henderson reside at 2401 Post Road #207 and are using and selling illegal drugs. One citizen indicated that Sam Crump had access to a black Chevy Malibu bearing Wisconsin registration plate ANK2866 which parks in the shared parking lot or 2401 Post Rd and 2325 Traceway Dr., or on Post Road in front of 2401 Post Road. The individual who provided the information had recently testified in a grand jury hearing and was found to be reliable.

On January 24, 2023, your complainant was conducting surveillance on the parking lot of 2401 Post Road. At approximately 2:50 pm a black Chevy Malibu bearing Wisconsin registration plate ANK2866 entered the parking lot and parked. A Hispanic male exited the driver's side of the vehicle, and a light skinned female exited the passenger side. Information on what was observed was given to the citizen that was providing information. The citizen stated that the Hispanic male goes by the name of "Juice" or "Oscar" and the female is "Juice" or "Oscar's" girlfriend, "Ori". This citizen was able to locate a photo of who she believed to be "Ori" on the Dane County Jail App, and the photo of the person she knew as "Juice" or "Oscar"



BALLESTEROS, OSCAR N/A

(Photo on left sent by concerned citizen of "Ori". Photo on right sent by concerned citizen of "Juice / Oscar")

Information was checked on Oscar Ballesteros and connections with Oriana Amakobe over the past few years. These contacts with law enforcement include a theft investigation in November of 2021, under incident number FP21-19765, and a drug investigation by the Monona Police Department in July of 2021, under incident number MO21-05757. Photos were compared of Oriana and Oscar when they were recently arrested and appeared to match the individuals observed operating the Chevy Malibu that parked in the 2401 Post Rd parking lot, consistent with the vehicle believed to belong to Sam Crump. At this time, it was observed that Oriana is on probation. It was also observed that Oscar is on probation as well and has an active warrant for his arrest.

Officer Hinojos of the Fitchburg Police Department conducted a traffic stop on the black Chevy Malibu on the morning of January 25, 2023. Officer Hinojos indicated that the driver identified himself as "Jeffrey Hoffman" and the female passenger identified herself as "Tamara Amakobe". The following day, data checks of "Jeffrey Hoffman" indicated that Jeffrey had been incarcerated at the Dane County Jail since August of 2022. Due to this fact it was believed that the driver provided a false identification. Body camera footage from Officer Hinojos was reviewed and compared to the booking photos of Oscar Ballesteros and it appeared to be a match. Additionally, during the traffic stop the driver is asked "How do you say your name?" and the driver, who has since been identified as Oscar stated, "what do you mean?". The question is asked again, and Oscar stated "Jason", which is a completely different name than "Jeffrey", the name that was first provided to Officer Hinojos. A review of body camera footage from Officer Bigalk, of the Fitchburg Police Department, who was also present on the traffic stop. The passenger video was compared to the booking photo of Oriana Amakobe and it appears to be a match, as Oriana has a pierced right nose, which is consistent with the female in the passenger seat of the Chevy Malibu. Additionally, the name that was provided to Officer's on the traffic stop of the passenger was Tamara Amakobe who is Oriana's sister.

Officer Bigalk's body camera also showed the driver of the vehicle stating, "People call me Juice". This is the same name that the concerned citizen provided as an alias for Oscar. Additionally, Oscar indicates that the vehicle belongs to his "friend" Sam. Oscar also stated that he has been staying at Sam's residence for some time. Given that the vehicle is believed to belong to Sam Crump who resides at 2401 Post Road #207, it is believed that Oscar is speaking about Sam Crump and is currently residing with him at 2401 Post Road. #207.

Arrest of Oscar

On January 26, 2023, at around 11:45 am, Officer Hinojos observed Oscar walking on Post Road at the intersection of Coho Street. Oscar again identified himself as Jeffrey Hoffman but was unable to provide his date of birth. Oscar was then taken into custody. During a search incident to arrest a small bag of brown powder was located on Oscar which weighted 1.1 grams with packaging. Oscar later admitted that the substance was Heroin. Oscar also admitted he was provided the 1.1 grams of heroin from Sam.

Oscar was then transported to the Fitchburg Police Department for questioning. During this time Oscar stated that he has been residing at 2401 Post Rd #207. During the interview Oscar disclosed that there is a total of 4 firearms in the residence. Oscar indicated that 2 of the firearms are Glocks, one a 9 mm, and the other a 45 caliber. Oscar indicated that one of the other firearms was a Smith and Wesson with a black grip. Oscar advised that one of the firearms is under a pillow in Calvin's room, one is under the mattress in the same room, and 2 of the firearms are in the closet in Calvin's bedroom.

Oscar stated Sam had told him previously that he shot a firearm in a disturbance that happened at an earlier date in the front of the building of 2401 Post Road when another subject who he "was into with"

ran away. Oscar explained to your complainant he believed Sam was talking about the disturbance in December that led to the exchange of gunfire.

Oscar indicated that Calvin has a silver metal lock box in his room. Oscar stated that there was 2 ounces of Cocaine in this lock box, and indicated that some was in powder form, and some was Crack Cocaine. Oscar also added that there would be up to 20 grams of Heroin in the lock box as well. Oscar stated that a "zip" of cocaine a day is being sold out of the apartment, as well as 10-15 grams of Heroin. Your complainant knows that a "zip" is a term often used in drug trafficking which refers to one ounce of a drug.

Oscar explained to your complainant he has personally seen the firearms in these areas and the lock box of Cocaine and Heroin because he has assisted with the sales of these items. Oscar has also tested the heroin using a home test kit to test the heroin for the presence of fentanyl. Oscar explained fentanyl has been present during that test approximately two weeks ago.

Oscar stated that he has known Calvin for 20 years and has been buying drugs from him during this time. Oscar was able to identify Calvin and Samuel from their booking photos. Oscar indicated that both Calvin Henderson and Samuel Crump were in the apartment when he left. During this time the apartment was under surveillance and Calvin, or Sam have not exited the building.

Your complainant spoke to the Fairway's apartment management, which operates 2401 Post Rd, who were able to confirm that Calvin Henderson is the lease holder at 2401 Post Rd. #207.

Criminal History of Oscar Ballesteros

Your complainant is aware that Oscar Ballesteros is a convicted felon and has criminal charges in Dane County dating back to 2011. Oscar was convicted to the following felonies:

- 2012 - Possession of Burglarious Tools, Receiving Stolen Property, Possession of Drug Paraphernalia, and Burglary as Party to a Crime
- 2016 – Burglary
- 2018 – Possession of Narcotic Drugs with a modifier of Second and Subsequent Offense
- 2018 - Possession of Narcotic Drugs
- 2018 – Forgery – Uttering with a modifier of Party to a Crime

Oscar has several open felony cases in Dane County for the following felonies:

- 2021 – Possession of Narcotic Drugs, with a modifier of Second and Subsequent Offense
- 2022 – Drive or Operate Vehicle without Owner's Consent as a Party to a Crime

Additionally, Oscar has convictions on the following misdemeanor offenses:

- 2012 – Theft of Movable Property
- 2016 – Charges dismissed but read in – Possession of Drug Paraphernalia repeater and Retail Theft repeater.
- 2016 - Theft of Movable Property, Theft by False Representation
- 2016 – Retail Theft Repeater
- 2016 – Possession of Cocaine Repeater

Oscar requested consideration for his probation and parole status based on the information he provided. Oscar also requested consideration on the small amount of heroin that was found on him. Your complainant made no promises and explained to Oscar your complainant would reach out to his probation agent and explain the cooperation and information he provided.

PROBABLE CAUSE TO SEARCH 2401 POST ROAD APT 207, FITCHBURG, DANE COUNTY, WISCONSIN

Your complainant believes it is probable firearms and or ammunition along with heroin, cocaine and drug packaging equipment will be found during the search of 2401 Post Road #207. Your complainant confirmed with Oscar Ballesteros that both Sam Crump and Calvin Henderson Sr are currently in the residence. Fitchburg Officers and Detectives have maintained a visual of the apartment since the arrest of Oscar and confirmed Sam and Calvin have not left the residence.

Detective Matthew Wiza of the Fitchburg Police Department was assisting with surveillance officers in the hallway of 2401 Post Road. Officers attempted contact at the residence and had contact with Samuel Crump and Calvin Henderson. Samuel currently has a felony warrant for his arrest and was taken into custody for his felony warrant.

Calvin Henderson allowed officers into the residence. Officers conducted a protective sweep after consent was given for entry. Detective Wiza reports he observed in plain view a firearm magazines and rifle ammunition. Detective Wiza further reports he observed a razor blade and a plate next to the toilet with a white powdery substance on the floor in the bathroom next to the toilet.

****THIS AFFIDAVIT IS BASED ON the information and belief of your affiant, who is a Detective for the City of Fitchburg Police Department.**

Your complainant believes the information provided by Fitchburg Officer Craig Spangler, Officer Juan Hinojos, Officer Ryan Bigalk and Detective Matthew Wiza to be truthful and reliable as it is information gathered during the course of his official duties as a Law Enforcement Officer in the State of Wisconsin.

Your complainant believes the information provided by Detective Jennifer Niebuhr to be truthful and reliable as it information gathered during the course of her duties as a Law Enforcement officer employed by the Dane County Sheriff's office and currently assigned to the Dane County Narcotics Task Force.

Your complainant believes the records utilized by the Department of Transportation (DOT) are truthful and accurate as the records are maintained during the course of the normal business at the Department of Transportation. Your complainant has found those records to be reliable in the past.

Your complainant believes the information provided by Citizen Witness to be truthful and reliable as it was provided in their capacities as a citizen witness.

Your complainant believes the information provided by Oscar Ballesteros, to be truthful and reliable as it was provided in their capacities as citizen witness.

NOW, THEREFORE, in the name of the State of Wisconsin, you are commanded to search the premises and persons unknown within for the property listed, and you are further ordered that law enforcement officers executing this search warrant be relieved of the requirement to knock and announce prior to entry, because of the information described within the attendant search warrant complaint concerning the possible presence of firearms in the address, for the safety of the law enforcement officers involved as well as citizens within or around the location to be searched, and in order to maintain the integrity of the evidence within the location to be searched, unless the conditions set forth within this search warrant complaint have changed to render entry without announcement unnecessary and return this Warrant within forty-eight hours, before the Court:

/S/ Jordan Trundle
Detective Jordan Trundle

Subscribed and sworn to before me
this 26 day of January, 2023.

Mario D. White

Judge of Circuit Court, Branch 7